

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 15-37**

A RESOLUTION OF THE TIGARD CITY COUNCIL SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT TO BE CONSIDERED AT THE NOVEMBER 3, 2015 ELECTION, WHICH WOULD AMEND SECTION 7 OF THE CHARTER TO ALLOW COUNCIL MEMBERS TO RUN FOR CITY OFFICE WITHOUT RESIGNING CURRENT POSITION, *as amended*

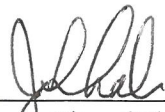
WHEREAS, after due consideration, the Tigard City Council has decided to forward a proposed Charter Amendment to the voters.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1: An election is hereby called in and for the City of Tigard, Washington County, Oregon, for the purpose of submitting to the legal voters the question of whether the Charter should be amended to allow sitting City Council members to run for City office without resigning current position.
- SECTION 2: The measure election hereby called shall be held in the City of Tigard on the 3rd day of November, 2015. The election shall be conducted by mail pursuant to ORS 254.465 and 254.470.
- SECTION 3: The Tigard City Council authorizes the mayor, the city manager (each an "authorized representative") or a designee of the authorized representative to act on behalf of the City of Tigard and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.
- SECTION 4: Pursuant to ORS 250.285 and ORS 254.095, the Tigard City Council directs the city elections officer to file a Notice of City Measure Election in substantially the form of Exhibit A with the Washington County Elections Office, unless, pursuant to a valid ballot title challenge, the Tigard City Council certifies a different Notice of City Measure Election be filed, such filing shall occur no earlier than the eighth business day after the date on which Exhibit A is filed with the city elections officer and not later than September 3, 2015.
- SECTION 4: The city elections officer is further instructed to publish notice of receipt of the ballot title in a newspaper of general distribution in compliance with ORS 250.275(5).
- SECTION 5: Pursuant to ORS 251.345, the Tigard City Council directs the city manager to prepare a Measure Explanatory Statement for publication in the county voters' pamphlet; said statement shall be filed with the Washington County Elections Office at the same time the Notice of City Measure Election is filed by the city elections officer.
- SECTION 6: The Act, containing the full Charter amendment, is attached hereto as Exhibit B and included in this resolution by reference.

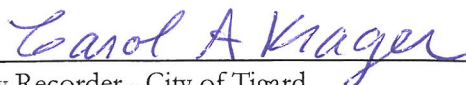
SECTION 7: This resolution is effective immediately upon passage.

PASSED: This 28th day of July, 2015.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

EXHIBIT A
NOTICE OF CITY MEASURE ELECTION

Notice of Measure Election
City

SEL 802

rev 1/14: ORS 250.035, 250.041,
250.275, 250.285, 254.095, 254.465

Notice		
Date of Notice	Name of City or Cities City of Tigard	Date of Election November 3, 2015

The following is the final ballot title of the measure to be submitted to the city's voters.

Final Ballot Title Notice of receipt of ballot title has been published and the ballot title challenge process has been completed.
Caption 10 words which reasonably identifies the subject of the measure
AMENDS CHARTER ALLOWING COUNCIL TO SEEK CITY OFFICE WITHOUT RESIGNING.

Question 20 words which plainly phrases the chief purpose of the measure
Shall the Charter be amended to allow sitting City Council members to run for City office without resigning current position?

Summary 175 words which concisely and impartially summarizes the measure and its major effect
The current Tigard City Charter ("Charter") requires an elected city official to resign from their office prior to seeking another elected City position, if there is overlap between the terms for the positions. This measure, if approved, would amend Section 7 of the Charter to remove the requirement that a person who is currently holding an elected position, as either Mayor or City Councilor, may not become a candidate for another City office held concurrently with their current position, unless that person first resigns from their currently held elected position. This would allow an elected City Councilor to run for Mayor without resigning their Council seat, if their council seat term overlapped with the mayoral term. [This amendment would not apply to currently serving Council members.] <i>AMENDED - LANGUAGE ADDED</i>

Explanatory Statement 500 words that impartially explains the measure and its effect, if required attach to this form					
If the county is producing a voters' pamphlet an explanatory statement must be submitted for any measure referred by the city governing body and if required by local ordinance, for any initiative or referendum.					
Measure Type	County producing voters' pamphlet	Local ordinance requiring submission	Explanatory statement required		
<input checked="" type="checkbox"/> Referral	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Not applicable	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<input type="checkbox"/> Initiative	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
<input type="checkbox"/> Referendum	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

Authorized City Official Not required to be notarized
→ By signing this document, I hereby state that I am authorized by the city to submit this Notice of Measure Election and I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Name	Title	Work Phone
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Signature	Date Signed
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EXHIBIT B

AN ACT

A Charter amendment submitted to the voters by the Tigard City Council. The Charter of the City of Tigard is amended to read (new language is underlined, deleted language is stricken) as shown below and referenced in City of Tigard Resolution No. 15-_____.

Section 7. Mayor And Council.

The elective officers of the City shall be a Mayor and four councilors who together shall constitute the City Council. At the general election held in 1990, and every fourth year thereafter, a Mayor shall be elected for a term of four years. No councilor shall serve the City as councilor for more than eight consecutive years, nor shall the Mayor serve as Mayor for more than eight consecutive years. In no case shall any person serve on the City Council for more than twelve consecutive years. These limitations do not apply to the filling of an unexpired term.

~~No person who is serving as Mayor or councilor shall become a candidate for any City office for a term which would be concurrent with the term in office then held unless that person first submits a written resignation from the then current office at the time of filing for the other office. A resignation submitted to satisfy this section shall not be withdrawn. A resignation shall be adequate for purposes of this section if it provides for the termination of the signer's service in the office not later than the last day before service would begin in the office for which that person seeks to become a candidate.~~

In the event the office of Mayor or councilor becomes vacant before the normal expiration of its term a special election may be held at the next available date to fill the office for the unexpired term. Such an election shall only take place if the Council can schedule and hold a special election at least twelve months before the term would otherwise expire. If an election is held, it shall be held in accordance with the election laws of the state of Oregon and City ordinances not inconsistent with such election laws. The Council may appoint a person to fill a vacancy until an election can be held.